

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LOUIS ALSTON : CIVIL ACTION  
: :  
: :  
v. : :  
: :  
DIGUGLIELMO, et al. : NO. 07-CV-2618

**O R D E R**

AND NOW, this 13th day of July , 2009, after a *de novo* review as required by 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b), IT IS HEREBY ORDERED:

1. The Magistrate Judge's Report and Recommendation is APPROVED and ADOPTED.
2. The petitioner's objections are OVERRULED.
3. The petition for writ of *habeas corpus* is DENIED.
4. There is no probable cause to issue a certificate of appealability.

BY THE COURT:

/s/ J. William Ditter, Jr.  
J. WILLIAM DITTER, JR.